

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN JOSE

FILED

MAY 10 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

CR 07 0289

RMW HRL

NAM NGUYEN,
JIMMY NGUYEN,
HUY NGO, AND
KIM MAI

~~SEALED~~
~~BY COURT ORDER~~

DEFENDANT.

INDICTMENT

21 U.S.C. Sections 846, 841(b)(1)(C) - Conspiracy to Possess with Intent to Distribute
and to Distribute MDMA

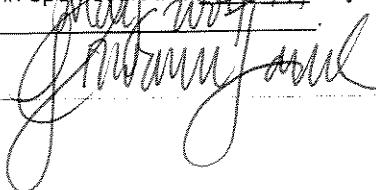
21 U.S.C. Section 841(a), (b)(1)(C) - Possession with Intent to Distribute MDMA

21 U.S.C. Section 843(b) - Use of a Communications Facility to Facilitate Drug Trafficking

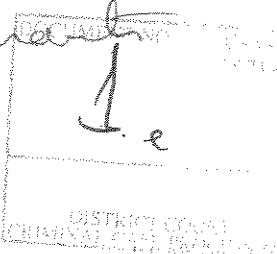
A true bill.


Foreman

Filed in open court this May 10, 2007 day of


Clerk

Bail, \$ no bail set



1 SCOTT N. SCHOOLS (SCBN 9990)
 2 United States Attorney
 3
 4

FILED
 MAY 10 2007
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

5 **SEALED**
 6 **BY COURT ORDER**

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

RMW HRL

11 **CR 07 0289**

12 UNITED STATES OF AMERICA,)
 13 Plaintiff,)
 14 v.)
 15 NAM NGUYEN,)
 16 JIMMY NGUYEN,)
 17 HUY NGO, and)
 18 KIM MAI,)
 19 Defendants.)
 _____)
 20)
 21)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

No. VIOLATIONS: 21 U.S.C. §§ 846,
 841(b)(1)(C) – Conspiracy to Possess With
 Intent to Distribute, and to Distribute, 3,4
 methylenedioxymethamphetamine
 (MDMA); 21 U.S.C. §§ 841(a), (b)(1)(C) –
 Possession with Intent to Distribute 3,4
 methylenedioxymethamphetamine
 (MDMA); 21 U.S.C. § 843(b) – Use of a
 Communications Facility to Facilitate Drug
 Trafficking
 SAN JOSE VENUE

INDICTMENT

21 The Grand Jury charges:

22 COUNT ONE: (21 U.S.C. §§ 846, 841(b)(1)(C) – Conspiracy to Possess With Intent to
 23 Distribute, and to Distribute MDMA)

24 Beginning at a time unknown to the grand jury, but no later than September 2006,
 25 through on or about September 29, 2006, in the Northern District of California, the defendants,

26 NAM NGUYEN;
 27 JIMMY NGUYEN; and
 HUY NGO,

28 did knowingly and intentionally conspire with others known and unknown to distribute, and

1 possess with intent to distribute, a Schedule I controlled substance, namely, 3,4
2 methylenedioxymethamphetamine (MDMA), in violation of Title 21, United States Code,
3 Sections 846, 841(b)(1)(C).

4

5 COUNT TWO: (21 U.S.C. §§ 841(a), (b)(1)(C) – Possession with Intent
6 to Distribute MDMA)

7 On or about September 29, 2006, in the Northern District of California, the defendant,
8 NAM NGUYEN

9 did knowingly and intentionally possess with intent to distribute a Schedule I controlled
10 substance, namely, approximately 596.5 grams of a mixture and substance containing a
11 detectable amount of 3,4 methylenedioxymethamphetamine (MDMA), in violation of Title 21,
12 United States Code, Sections 841(a)(1), (b)(1)(C).

13 COUNT THREE: (21 U.S.C. § 843(b) – Use of a Communications Facility to Facilitate
14 Drug Trafficking)

15 On or about September 23, 2006, in the Northern District of California, the defendant,
16 KIM MAI,

17 did knowingly use a telephone to facilitate a felony drug trafficking offense to wit: distribution

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 of 3,4 methylenedioxymethamphetamine, in violation of Title 21, United States Code, Section
2 843(b).

3 DATED: *May 10, 2007*

4 A TRUE BILL.

5 
6 FOREPERSON

7 SCOTT N. SCHOOLS
8 United States Attorney

9 
10 MARK L. KROTOSKI
11 Chief, Criminal Division

12 (Approved as to form: 
13 AUSA JERICH)

AO 257 (Rev. 6/78)

FILED**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**OFFENSE CHARGED**

21 USC 846, 841(b)(1)(C)
 21 USC 841(a)(1) (b)(1)(C)
 21 USC 843(b)

- Petty
 Minor
 Misdemeanor
 Felony

**SEALED
BY COURT ORDER****PENALTY:**

Ct. 1: max term 20 yrs; sup. rel. 3 yrs.; \$1,000,000 fine;
\$100 special assessment
Ct. 2: same as Count 1
Ct. 3: max term 4 yrs.; sup. rel 1 yr.; \$250,000 fine; \$100 s.a.

PROCEEDING

Name of Complainant Agency, or Person (&Title, if any)
Drug Enforcement Administration

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense
 this prosecution relates to a pending case involving this same defendant
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

SCOTT N. SCHOOLS

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Atty
(if assigned)

Susan R. Jerich

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

SUMMONS NO PROCESS*

WARRANT Bail Amount: under seal/no bail

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Nam Nguyen, Jimmy Nguyen, Kim Mai & Huy Ngo

DISTRICT COURT NUMBER

CR 07 0289

DEFENDANT**IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes No } If "Yes" give date filed

DATE OF ARREST } Month/Day/Year

Or... If Arresting Agency & Warrant were not Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY }

This report amends AO 257 previously submitted